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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/519,063

12/22/2004

Cornelis Antonie Maria

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EXAMINER

NGUYEN, LUONG TRUNG

ART UNIT

PAPER NUMBER

2622

MAIL DATE

DELIVERY MODE

11/13/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/519,063	MARIA, CORNELIS ANTONIE	
	Examiner	Art Unit	
	LUONG T. NGUYEN	2622	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 July 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3 and 5-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1,3,5-14 and 16 is/are allowed.
- 6) ☒ Claim(s) 15,17,18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments, see Amendment, filed 07/16/2009, with respect to Double Patenting Rejection have been fully considered and are persuasive. The Double Patenting Rejection of previous Office Action made on 04/16/2009 has been withdrawn.

Since independence claim 1 is allowed. The withdrawn claims 3, 5-18 have been rejoined to independence claim 1.

Claim Objections

2. Claims 1, 3, 5-18 are objected to because of the following informalities:

Claim 1 (line 16), "the contour reconstruction filter" should be changed to --the contour-reconstruction-filter --.

Claim 1 (lines 20-21), "application of the colour-reconstruction filter" should be changed to --application of a color-reconstruction filter --.

Claim 5 (line 1), "The method as claimed in claim 4" should be changed to --The method of claim 1--.

Claim 7 (line 1), "The method as claimed in claim 14" should be changed to --The method of claim 1--.

Claim 15 (line 1), "reconstruction-f- ilter" should be changed to --reconstruction-filter--.

Claim 16 (line 4), "the product" should be changed to --the computer program product--.

Claim 16 (line 5), "a computing system of a camera" should be changed to --the computing system of the camera--.

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Claim 17 (line 2), “a computing system of a camera” should be changed to --the computing system of the camera--.

Claim 17 (line 3), “program product as claimed in claim 18”” should be changed to --program product as claimed in claim 16--.

Claims 3, 5-18 are objected as being dependent from claim 1.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 15, 17, 18 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Since claim 15 is an improper hybrid claim calling for both an apparatus and the method step of using the apparatus, claim 15 is indefinite under 35 U.S.C. 112, second paragraph. See MPEP 217.05(p). As both an apparatus and method are claimed in the same claim, it is vague and confusing as to what the meets and bounds of the claim set forth.

Claim 17 is vague and indefinite because it is not clear that the computing system and/or semiconductor device execute or store the computer program product.

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Claim 18 is vague and indefinite because it is not clear that the limitation “an image sensor” recited in claim 18 is the same limitation “image sensor” in claim 1 (claim 18/16/1).

Claim Rejections - 35 USC § 101

5. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claim 15 rejected under 35 U.S.C. 101 because the claimed invention is directed to neither a “process” nor a “machine,” but rather embraces or overlaps two different statutory classes of invention. See MPEP 2173.05(p).

Allowable Subject Matter

6. Claims 1, 3, 5-14, 16 are allowed.

The following is a statement of reasons for the indication of allowable subject matter:

Regarding claim 1, the prior art of the record fails to show or fairly suggest a method for signal processing, wherein the method comprises the steps of:

weighting the red-and/or the blue-pixel by a green-parameter, and applying the contour reconstruction filter by multiplying pixels of the array by contour reconstruction filter coefficients after weighting by the green parameter and summing the multiplied pixels into one output-pixel, and wherein the method comprises centering the output-pixel in the array, and applying the contour-reconstruction-filter in parallel with application of the colour-reconstruction filter to the pixels.

Claims 3, 5-14, 16 are allowed as being dependent from claim 1.

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Conclusion

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to LUONG T. NGUYEN whose telephone number is (571)272-7315. The examiner can normally be reached on 7:30AM - 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, DAVID L. OMETZ can be reached on (571) 272-7593. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/LUONG T NGUYEN/
Examiner, Art Unit 2622
11/08/09